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19 Attorneys for Defendants

20 YANKEE GROUP RESEARCH, INC., WEINMAN CORPORATION, and ELIOT WEINMAN

21 **IN THE UNITED STATES DISTRICT COURT**
22 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
23 **OAKLAND DIVISION**

24 WIMAX FORUM, a California corporation,

25 Plaintiff,

26 v.

27 YANKEE GROUP RESEARCH, INC., a
28 Delaware corporation, WEINMAN
CORPORATION, a Massachusetts corporation,
ELIOT WEINMAN, an individual, and Does 1-
25,

Defendants.

Case No. 3:09-cv-1623-SBA

**JOINT REQUEST TO RESCHEDULE
CASE MANAGEMENT CONFERENCE
FOR 30 DAYS AFTER MEDIATION AND
OTHER PRETRIAL DEADLINES**

1 The parties hereby submit this Joint Request To Reschedule Case Management Conference
2 For 30 Days After Mediation And Other Pretrial Deadlines. In accordance with the Court's
3 Scheduling Order, representatives of WiMAX Forum ("Plaintiff") and defendants Yankee Group
4 Research, Inc., Weinman Corporation, and Eliot Weinman ("Defendants") are scheduled to mediate
5 their claims with Anthony M. Keats, Esq. of Keats McFarland & Wilson LLP. The mediation will
6 occur on September 29, 2009 in San Francisco, California.

7 Defendants have informed Plaintiff that if the parties are unable to resolve this dispute at
8 mediation, defendants Eliot Weinman and Weinman Corporation intend to seek dismissal of the
9 action against them for lack of personal jurisdiction. Plaintiff, however, reserves all rights to contest
10 any such jurisdictional challenge. In any case, the parties agree that the mediation may proceed as
11 between Plaintiff and Yankee Group Research, Inc. because they believe a full resolution may be
12 possible. Therefore, the parties hereby request that the Court waive any requirement that Mr.
13 Weinman and Weinman Corporation attend the mediation, provided they are available by telephone
14 during the mediation.

15 In the interest of judicial economy and to conserve the resources of the parties, Plaintiff and
16 Defendants jointly request that the Court reschedule the current September 17, 2009 Case
17 Management Conference for thirty days after the completion of mediation. Accordingly, the parties
18 respectfully request that the Case Management Conference be reset to October 29, 2009, or as soon
19 thereafter as convenient for the Court. It is the hope of the parties that the mediation leads to
20 settlement of the matter and that the Case Management Conference becomes unnecessary.

21 In the event the parties are unable to resolve this dispute at mediation, the parties further
22 agree that Defendants shall respond to the complaint on or before October 6, 2009.

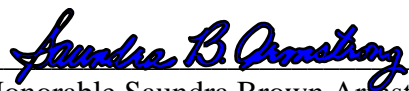
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1 IT IS HEREBY ORDERED THAT the Case Management Conference currently scheduled for
2 September 17, 2009 shall be CONTINUED **November 4th, 2009 at 3:00 PM.**
3 The parties shall **meet and confer** prior to the conference and shall prepare a joint Case Management
4 Conference Statement which shall be filed no later than ten (10) days prior to the Case Management
5 Conference that complies with the Standing Order For All Judges Of The Northern District Of
6 California and the Standing Order of this Court. Plaintiffs shall be responsible for filing the statement
7 as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-
8 3559 at the above indicated date and time.

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11 Dated: _9/9/09

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13 The Honorable Saundra Brown Armstrong
14 United States District Judge
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